

REMARKS

This amendment is in response to the Final Official Action mailed June 15, 2004.

Claim 22 has been amended to correct an error in dependency, and claims 21 and 22 have been amended to make the language consistent with the previously amended parent claims. Claims 1-18 and 21-24 remain in the case, and are presented for the Examiner's consideration in view of the following remarks.

The Drawings

The Examiner has objected to FIG. 3 in the drawing set submitted with the Amendment of April 30, 2004. Specifically, the Examiner has pointed out that the reference character "130" in FIG. 3 has been used to designate more than one element in the drawing. Applicant submits herewith a new set of formal drawings, together with a Letter to the Official Draftsperson. FIG. 3 of the new drawings has been amended to change the designation of "BROADCAST PUBLIC KEY TO WORLD" from "130" to "310." That change is consistent with the element numbering in the Specification (p. 10, lines 12-15). No other changes have been made to the drawings.

The Applicant wishes to thank the Examiner for his thorough review of the drawings, and believes that the replacement drawings overcome the Examiner's objection.

The Independent Claims

The Examiner has rejected the independent claims as unpatentable over U.S. Patent 5,629,982 to Micali ("Micali") in view of U.S. Patent No. 5,633,916 to Goldhagen et al. ("Goldhagen").

The presently claimed invention permits the certification of a voice message received as a stream of packets. No reference cited by the Examiner teaches or suggests certifying a voice message or a multimedia message. Instead, Micali teaches a return receipt for a discrete transactional message. Goldhagen simply refers to a proprietary voice and messaging system (NAP), and does not suggest any message certification or security.

Claim 1 requires compiling a stream of digitized information packets into a mail message, to which an electronic signature is attached. Applicant re-asserts the argument that neither Micali nor Goldhagen teaches compiling streaming packets for certifying voice or multimedia messages.

In the Response to Arguments section of the Final Official Action, the Examiner states that the specification of the instant application does not use the term “stream.” Applicant respectfully disagrees. The term “stream” is used in the present specification (p. 12, lines 7-9) to describe “packetized voice message packets (i.e., digital voice data).” Applicant therefore submits that that limitation is fully supported by the specification.

Applicant further submits that no suggestion exists in the art to compile a stream of packets into a mail message, and attach a certificate to that mail message. The Micali system, as disclosed, could not deal with a voice packet stream from a sender. For example, a middleman “Post Office” in Micali must receive from the sender a message that is and remains unintelligible to the Post Office (col. 11, lines 62-65). That unintelligible message would need to be compiled by the Post Office from the streaming packets. That task could be accomplished, if at all, only after major redesign.

Further, the voice packet stream could not be compiled by the recipient Bob, because his version is unintelligible to him until the sender Alice receives a suitable receipt (col. 12, lines 22-34).

Applicant therefore submits that the independent claims in the case are patentable over the cited references, and that the dependent claims are patentable at least by reason of their dependencies.

Claims 21 and 22

Applicant submits that claims 21 and 22 are patentable for the additional reason that no cited reference teaches originating a communication session from an off-network device. That aspect of the invention focuses on the fact that a caller using, for example, a traditional telephone, can use the presently-claimed certification method to certify his calls. Specifically, the communication session originates from an off network communication device.

The specification states that a caller using an off-network device is “not integrally connected with their own PC 114 or BTI (Broadband Telephone Interface) 112 at their customer premises” (specification, p. 13, lines 15-21). The off network device may be, for example, a POTS telephone or a cell phone originating from, for example, the PSTN.

The Examiner asserts that Micali (at col. 4, lines 59-62) discloses “that sessions may be initiated from telephones, faxes, etc.” Applicant respectfully submits that the Examiner has misinterpreted that passage, and that Micali instead teaches away from originating communications from off-network devices.

In the cited passage, Micali states:

In the preferred embodiment, an extended certified mail system is provided using a single "trusted" party. The system is implemented in a computer network, although it should be realized that telephone, fax, broadcast or other communication networks may be used. Thus, without limitation, it is assumed that each user in the system has a computer capable of sending and receiving messages to and from other computers via proper communication channels.

Micali, col. 4, lines 58-65. Micali is simply stating that the system may be implemented in a telephone network; i.e., the computers in Micali may be linked via a telephone network.

Nowhere does Micali teach or suggest a communication originating from a telephone or other off network device, as required by claims 21 and 22. In fact, Micali specifically teaches that "each user in the system has a computer capable of sending and receiving messages to and from other computers" (col. 4, lines 62-65). In other words, Micali requires on-network devices for originating communications, thereby teaching away from originating communications with off-network devices.

Applicant therefore submits that claims 21 and 22 are patentable for that additional reason.

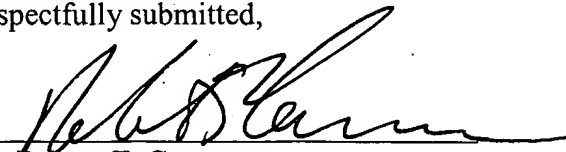
Conclusion

Applicant therefore respectfully asserts that all the claims in the case are now in condition for allowance, and earnestly requests that the Examiner issue a Notice of Allowance.

Should the Examiner have any questions regarding the present case, the Examiner should not hesitate in contacting the undersigned at the number provided below.

Respectfully submitted,

By



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